

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 7,475,967 B2; Issued January 13, 2009

Application No.: 10/539,679

Filing Date: June 16, 2005

Applicant: Tohru Nakagawa

Group Art Unit: 2853

Examiner: Geoffrey S. Mruk

Title: Piezoelectric element, ink-jet head with same, and their manufacturing methods

Attorney Docket: 5077-000243/US/NP

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

REQUEST FOR RECONSIDERATION OF PETITION UNDER RULE 1.705

Patentee hereby requests reconsideration of the Petition for corrected Patent Term Adjustment under Rule 1.705 which was dismissed by the Office in a Decision dated August 12, 2009. In view of the fact that *Wyeth v Dudas* is currently on appeal to the Court of Appeals for the Federal Circuit, Patentee respectfully requests the Office to defer decision on this Request for Reconsideration until such time as the Court of Appeals for the Federal Circuit has ruled in *Wyeth v Dudas*. This request is made in the interest of judicial economy and because *Wyeth v Dudas* is expected to construe the statutory meaning "overlap" as used in 35 U.S.C. § 154(b).

Respectfully submitted,

By: 
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